

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

DONAVAN EVANS

PLAINTIFF

V.

CIVIL ACTION NO. 3:20-CV-325-HTW-LRA

GREYHOUND LINES

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before this Court pursuant to the Report and Recommendation of United States Magistrate Judge Linda R. Anderson. Said document was filed on July 10, 2020. [**Docket no. 5**]. To date, pro se Plaintiff has filed no objections to the Report and Recommendation of the United States Magistrate Judge; rather, Plaintiff filed on July 14, 2020, a Letter titled “Appeal overlapping State Class Action.” [Docket no. 6]. By that Letter, Plaintiff seeks to “appeal [this] case to the Small Claims State Court.”

Based upon the evidence therein contained, this Court finds the Report and Recommendation well-taken. The Court further finds that his submitted Letter is frivolous. Accordingly, the Report and Recommendation of the United States Magistrate Judge [**Docket no. 5**] is hereby **ADOPTED** as the order of this Court.

This Court hereby **DISMISSES** the Complaint under 28 U.S.C. § 1915(e)(2)(B)¹ for failing to state a claim on which relief may be granted, and for lack of subject matter jurisdiction. The parties are to bear their own costs.

SO ORDERED AND ADJUDGED this the 29th day of August, 2020.

/s/HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE

¹ 28 U.S.C. §1915(e)(2)(B) states, in pertinent part: “Notwithstanding any filing fee, or any portion thereof, that may have been paid any time if the court determines that—(B) the action or appeal—(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.”